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Dkt. 65503-B/JPW/MS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Elena Feinstein, et al. #3

U.S. Serial No. : 09/825,682

Filed : April 4, 2001

For : SEQUENCE CHARACTERISTICS OF BLADDER CANCER

COPY OF PAPERS
ORIGINALLY FILED

1185 Avenue of the Americas
New York, New York 10036
January 22, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

Attn.: Box Missing Parts

Sir:

COMMUNICATION IN RESPONSE TO JUNE 19, 2001 NOTICE TO FILE
MISSING PARTS OF APPLICATION FILING DATE GRANTED AND PETITION FOR
A FIVE-MONTH EXTENSION OF TIME

This Communication is submitted in response to the June 19, 2001 Notice to File Missing Parts of Application - Filing Date Granted - issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to this June 19, 2001 Notice was originally due on August 19, 2001. Applicants hereby request a five-month extension of time from August 19, 2001 to January 19, 2002. The fee for a five-month extension of time for a small entity is NINE HUNDRED AND EIGHTY DOLLARS (\$980.00) and applicants enclose a check for \$980.00. Applicants' status as a small entity has been previously claimed on

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Applicants: Elena Feinstein, et al.
U.S. Serial No.: 09/825,682
Filed: April 4, 2001
Page: 2

the Patent Application Transmittal Letter and such status is still applicable. Thus a reply to the June 19, 2001 Notice is now due January 19, 2002. However, since January 19, 2002 falls on a Saturday, a response may be filed on the next business day which is not a weekend or federal holiday, namely January 22, 2002. Accordingly, this Communication is being timely filed.

The Notice to File Missing Parts of Application indicates that the oath or declaration is unsigned. Applicants attach hereto a copy of the Notice as **Exhibit A**. In response, applicants submit as **Exhibit B** hereto a copy of a signed Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53(f) which was previously submitted on June 4, 2001 by Express Mail, along with a Preliminary Amendment and Nonpublication Request. In compliance with 37 C.F.R. §1.63, the Declaration refers to the application's above-identified serial number and filing date.

A copy of the postcard which was submitted on June 4, 2001 along with the signed Declaration and Power of Attorney, stamped and returned from the Patent & Trademark Office, is attached as **Exhibit C** hereto. Applicants request that the Preliminary Amendment; Nonpublication Request and Declaration and Power of Attorney, all previously submitted on June 4, 2001 by Express Mail be entered.

In addition, applicants also submit as **Exhibit D** a substitute specification in compliance with 37 C.F.R. §1.52.

Applicants: Elena Feinstein, et al.

U.S. Serial No.: 09/825,682

Filed: April 4, 2001

Page: 3

Finally, in response to the Notice, applicants submit a paper copy and computer readable copy of the nucleotide and/or amino acid sequences disclosed in the application in order to fulfill the requirements of 37 C.F.R. §1.821 and 1.825 in connection with this application. Applicants submit herewith twenty-six (26) pages of Sequence Listing in compliance with the requirements of §1.821 and 1.825 attached hereto as **Exhibit E**.

Applicants also submit herewith a formatted Sequence Listing in a computer readable form which complies with the requirement of 37 C.F.R. §1.824. In addition, applicants submit a Statement in Accordance with 37 C.F.R. §1.821(f), attached hereto as **Exhibit F**, certifying that the computer readable form containing the nucleic acid and/or amino acid sequences as required by 37 C.F.R. §1.821(e) contains the same information which is submitted as "Sequence Listing".

The surcharge under 37 C.F.R. §1.16(e) for responding to the Notice to File Missing Parts of Application is SIXTY FIVE DOLLARS (\$65.00) for a small entity. Applicants enclose a check for \$65.00 for late filing of the oath or declaration.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

Applicants: Elena Feinstein, et al.
U.S. Serial No.: 09/825,682
Filed: April 4, 2001
Page: 4

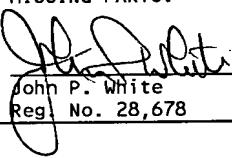
No fee, other than the \$890.00 five-month extension of time fee and the \$65.00 surcharge fee, is deemed necessary in connection with the filing of this Communication. If any additional fees are required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White
Registration No. 28,678
Attorney for Applicants
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New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence
is being deposited this date with the U.S.
Postal Service with sufficient postage as
first class mail in an envelope addressed
to: Assistant Commissioner for Patents
Washington, D.C. 20231, Attn.: BOX
MISSING PARTS.



John P. White
Reg. No. 28,678

1/22/02
Date